**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	**ORDER RE DETENTION AND**
	)	**IDENTITY HEARING**
vs.	)	
	)	
Tonia Points At Him,	)	Case No.: 1:06-mj-037
	)	
Defendant.	)	
	)	

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On November 14, 2006, the court held an initial appearance in the above entitled case pursuant to Rule 5(c)(3) of the Federal Rules of Criminal Procedure. David Hagler appeared on behalf of the government, and Justin Hagler was appointed as defendant's counsel and appeared with and on the defendant's behalf.

The defendant was indicted in the Central District of South Dakota and arrested in Bismarck, North Dakota. The defendant indicated to the court that she would waive her right to an identity hearing, which she was entitled to under Rule 5(c)(3)(D)(ii) of the Federal Rules of Criminal Procedure. The court finds the defendant knowingly, voluntarily, and with advice from counsel, waived her right to an identity hearing and is the person identified in the indictment.

The government filed for a motion for detention. (Docket No. 2). Upon the Motion of the United States for detention of the defendant, and for a detention hearing, it is hereby **ORDERED** that a detention hearing be scheduled for Thursday, November 16, 2006, at 9:00 AM (CST) in the Federal Building and U.S. Courthouse in Bismarck, North Dakota. (Courtroom #2).

It is **FURTHER ORDERED** that pending said hearing, the defendant shall be committed to the custody of the Attorney General or his designated representative for confinement in a

corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.   The defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 14th day of November, 2006.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge